

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MELVIN M. HUDSPATH,

Petitioner,

v.

KYLE OLSON, *et al.*,

Respondents.

Case No. 3:20-cv-000638-LRH-CLB

**ORDER GRANTING MOTION TO
EXTEND TIME**

(ECF No. 40)

This habeas matter is before the Court on Respondents' motion to extend the deadline to file and serve their answer to the Third Amended Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 ("Petition"). (ECF No. 40). Respondents moved for an extension before the deadline to answer expired, arguing that they need more time because their counsel's case load has recently increased, and counsel has other demanding projects with deadlines that nearly overlap the deadline in this matter. Counsel seeks 35 days to effectively respond to the Petition.

When a party moves to extend a deadline before the original time expires and the stated reasons show good cause, the court may grant the extension. Fed. R. Civ. P. 6(b)(1); LR IA 6-1. "'Good cause' is a non-rigorous standard," *Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1259 (9th Cir. 2010), which primarily considers the diligence of the party seeking the extension. *In re W. States Wholesale Nat. Gas Antitrust Litig.*, 715 F.3d 716, 737 (9th Cir. 2013). The Court finds that Respondents have demonstrated that good cause exists to extend the deadline here.

IT IS THEREFORE ORDERED that Respondents' Motion for Enlargement of Time to Answer Petitioner's Third Amended Petition for Writ of Habeas Corpus (ECF No. 40) is GRANTED. Respondents' deadline to file an answer is **EXTENDED to November 22, 2022**.

DATED this 18th day of October 2022.


 LARRY R. HICKS
 UNITED STATES DISTRICT JUDGE